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37 C.F.R. § 1.8

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August 23, 2007      Electronic signature: / Svitlana Anderson /  
Date                                  Svitlana Anderson

Docket No.: HO-P02877US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Mark S. Gasaway et al.

Application No.: 10/790,532

Confirmation No.: 5168

Filed: March 1, 2004

Art Unit: 3679

For: FENCE ASSEMBLY

Examiner: D. J. Mills

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

**DATED 8-16-2007**

**AND (RE)**

**RESPONSE AND AMENDMENT TO NON-FINAL OFFICE ACTION DATED**  
**JANUARY 25, 2007**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

This submission is in response to the Notice of Non-Compliant Amendment dated August 16, 2007. In response, please amend the above-identified U.S. patent application as follows.

This submission regards a Response and Amendment filed April 25, 2007, in response to the non-final Office Action dated January 25, 2007, in the above-referenced case.

As such, this Response and Amendment is responsive to the non-final Office Action mailed January 25, 2007, and initially responded to on April 25, 2007.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Interview Summary** begins on page 10 of this paper.

**Remarks/Arguments** begin on page 12 of this paper.